

Local Form 4A

March, 2013

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re:) Case No. 14-31765
)
)
Garrett Wayne Harwood)
Lynette Spencer Harwood) Chapter 13
)
Debtor(s))

AMENDMENT TO:

CHAPTER 13 PLAN, INCLUDING NOTICE OF MOTION(S) FOR VALUATION;
MOTION(S) TO AVOID CERTAIN LIENS; MOTION(S) FOR ASSUMPTION AND
REJECTION OF EXECUTORY CONTRACTS AND UNEXPIRED LEASES; AND NOTICE OF OPPORTUNITY FOR
HEARING ON CONFIRMATION OF THE PLAN INCLUDING ALL MATTERS AS SET FORTH IN THE PLAN
FOR CASES FILED ON OR AFTER MARCH 1, 2013

Check the motions applicable to this plan amendment:

- ☐ Motion to Value Liens Includes Valuation of Property Securing A Claim
☐ Motion to Value Liens includes Valuation of Property Securing A Claim in an
Amount Less than the Amount of the Claim
☐ Motion to Avoid Liens §522(f)
☐ Motion to Assume Executory Contracts(s) and Unexpired Leases
☐ Motion to Reject Executory Contract(s) and Unexpired
☒ No motions applicable to this plan amendment

The Chapter 13 Plan, including certain motions and other provisions, is hereby **amended** as follows:

- #1.a. The base plan proposes to pay \$1,495.00 per month for 60 months.
#2.a. "Interest Rate" for Wells Fargo mortgage claim is 5.25%

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully, including any motions contained in the amended plan, and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to confirm the proposed plan of the debtor or debtors ("Debtor") as amended, including any of the motions included in the amended plan, or if you want the Court to consider your views on these matters, then you or your attorney must file with the Court a written objection to confirmation and request for hearing on confirmation at the following addresses:

Cases filed in the **Charlotte, Shelby or Wilkesboro** Divisions:

Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202.

Cases filed in the **Asheville or Bryson City** Divisions:

Clerk, U.S. Bankruptcy Court, Room #112, 100 Otis Street, Asheville, N.C. 28801

Your objection to confirmation and request for hearing must include the specific reasons for your objection, and must be filed with the Court no later than 14 days following the conclusion of the § 341 meeting of creditors, or within 14 days of service of the amendment, whichever is later. If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the Debtor at the address listed in the notice of the meeting of creditors. The Debtor's attorney and the Chapter 13 Trustee will be served electronically. If any objections to confirmation are filed with the Court, the objecting party will provide written notice of the date, time, and location of the hearing. No hearing will be held unless an objection to confirmation is filed.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the Debtor as amended, including any motions contained in the amended plan, and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).**

I declare under penalty of perjury that the information provided in the **Amendment** to Chapter 13 Plan, including Notice of Motion(s) for Valuation; Motion(s) to Avoid Certain Liens; and Motion(s) for Assumption and Rejection of Executory Contracts and Unexpired Leases; are true and correct as to all matters set forth herein.

Dated _____
Debtor's Signature

Dated _____
Debtor's Signature

I hereby certify that I have reviewed this document with the debtor(s) and that the debtor(s) have received a copy of this document.

Dated _____
Attorney for the Debtor(s)

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re:)	Case No. 14-31765
)	
Garrett Wayne Harwood)	
Lynette Spencer Harwood)	Chapter 13
)	
Debtor)	
)	
)	CERTIFICATE OF SERVICE

The undersigned certifies that on the 2nd day of December, 2014, he served a copy of the foregoing: AMENDMENT TO CHAPTER 13 PLAN: by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the place address stated below, which is the last known address, and by depositing said envelope and its contents in the United States Mail:

U.S. Bankruptcy Court
401 W. Trade Street
Charlotte, NC 28202
Served Electronically

Wells Fargo
PO Box 14547
Des Moines, IA 50306-3547

Bankruptcy Administrator
Western District of NC
402 W. Trade Street, Ste. 200
Charlotte, NC 28202
Served Electronically

Mr. Warren L. Tadlock
Standing Trustee
Served Electronically

☐ by hand delivering said copy to the person(s)
hereinafter named:

By: _____
Geoffrey A. Planer, Attorney for Debtors
N.C. State Bar No.: 6338
P.O. Box 1596
216 S. Marietta Street
Gastonia, NC 28053-1596
(704) 864-0235